

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

UNITED STATES OF AMERICA	:	
	:	
	:	
v.	:	CRIMINAL ACTION NO.
	:	1:04-CR-0424-RWS
WILLIAM C. CAMPBELL,	:	
	:	
Defendant.	:	

**ORDER**

Defendant has filed a Motion for Judgment of Acquittal [343] requesting that the Court enter a judgment of acquittal as to Racketeering Act 10 under Count One of the Indictment and renewing his Rule 29 Motion made during the trial of the case. After considering Defendant's argument and the evidence presented at trial, the Court enters the following Order.

During the final instructions, the Court instructed the Jury that if they found Defendant not guilty of Count One of the Indictment, they would not address each of the racketeering acts separately. If they found Defendant guilty of Count One, they were instructed to enter a separate verdict as to each alleged racketeering act. The Jury found Defendant not guilty of Count One and

entered this finding on the verdict form. However, they also entered their findings as to each of the alleged racketeering acts. They found Defendant not guilty of all alleged racketeering acts except Act 10, for which they found Defendant guilty.

Defendant urges the Court to enter a judgment of acquittal as to Racketeering Act 10 because the Jury did not correctly follow the Court's instructions and because the evidence did not support their verdict. First, the Court finds that there was evidence sufficient to support the Jury's finding that the Defendant was guilty of Racketeering Act 10. The fact that the Jury entered their finding as to this racketeering act in spite of the Court's instruction to the contrary does not affect their verdict as to the offense charged in Count One of the Indictment. Although the Jury was not required to enter findings as to the racketeering acts in light of their acquittal of Defendant, the Court finds no reason to strike this finding from the record. The finding was made by the Jury and is supported by the evidence. The Court concludes that there is no basis for overturning that decision.

Defendant also renews his Rule 29 Motion that was made at the close of the Government's case, at the close of Defendant's case, and at the close of all

of the evidence. Defendant adopts his arguments as previously stated in support of the Motion. Likewise, the Court adopts its findings and conclusions stated when the Motion was previously made. There was sufficient evidence presented at trial to submit all of the charged offenses to the Jury for their consideration. Further, as to the offenses for which Defendant was found guilty, there was evidence presented at trial sufficient to support the Jury's Verdict.

Based on the foregoing, Defendant's Motion for a Judgment of Acquittal [343] is hereby **DENIED**.

**SO ORDERED** this 23<sup>rd</sup> day of March, 2006.

/s/ Richard W. Story  
RICHARD W. STORY  
UNITED STATES DISTRICT JUDGE